

“Arbitration is the generally accepted means of resolving contractual disputes. We maintain a roster of 1400 private arbitrators with extensive experience in collective bargaining.”

What is Arbitration?

Arbitration is a simple proceeding voluntarily chosen by the parties who want a dispute determined by an impartial (neutral) judge of their mutual selection, whose decision, based on the merits of the case, they agree in advance to accept as final and binding. It is the generally accepted means of conflict resolution between an employer and a labor organization during the term of a contract, enabling disagreements over contract interpretation or application to be settled in a less formal setting than time-consuming and costly courtroom litigation. The neutral judges selected to hear and decide these cases are arbitrators.

Who are FMCS Arbitrators and How are They Selected?

The Federal Mediation and Conciliation Service (FMCS) maintains a roster of approximately 1,400 arbitrators, who are experienced practitioners with backgrounds in collective bargaining and who meet FMCS arbitration requirements. To be listed on the roster, FMCS will determine whether the applicant:

- Is experienced, competent and acceptable in decision-making roles in the resolution of labor relations disputes; or
- Has extensive and recent experience in relevant positions in collective bargaining; and
- Is capable of conducting an orderly hearing, can analyze testimony and exhibits and can prepare clear and concise findings and awards within reasonable time limits.

The qualifications are preferably demonstrated by the submission of five recent labor arbitration awards while serving as an impartial arbitrator of record chosen by the parties to labor relations disputes arising under collective bargaining agreements, or the successful completion of the FMCS labor arbitrator training course within the five years immediately preceding the date of application plus two awards. All arbitrators must agree to refrain from advocacy roles related to labor relations, including representing employers, unions or individuals.

Listing on the Roster is by the decision of the Director of FMCS, based upon the recommendation of members of the Arbitrator Review Board, who serve at the pleasure of the Director of FMCS.

Why FMCS?

“With a history of more than a half century of providing mediation and facilitation services, FMCS has more collective experience in dispute resolution than any other agency of government.”

How Do I Secure an Arbitrator?

You may request an arbitration panel online via our Web site for a cost of \$30. You may also download FMCS Form R-43 and submit your request to the Arbitration Services staff for processing at a cost of \$50. A panel consists of a chosen number of arbitrators who can be selected based on geographical location, professional affiliation, or experience within an industry or other criteria. When a panel is requested, both parties are issued a computerized list and biographical sketches of arbitrators, together with their fee schedules. Once the parties have made their selection, the arbitrator is notified by FMCS of his or her selection.

How Fast is a Panel Issued?

Panels requested online via our Web site are e-mailed within 10 minutes after the request is completed. If the request is processed by the Arbitration Services staff, your panel will be sent to you within five days of receipt of your request. Once you select the arbitrator from the panel, the arbitrator is required to contact you within 14 days to arrange a hearing date, time, and place.

How Soon Can I Get a Decision?

FMCS rules require the arbitrator to follow the collective bargaining agreement with respect to the time the award is due. Absent language in the agreement, FMCS rules allow up to 60 days from the close of a hearing for the arbitrator to issue the award. If you do not receive the award within that time, please notify the Director of Arbitration Services at 202-606-5111. If the arbitrator is late in rendering a decision on a discharge case, we will not assign that arbitrator to a panel until the decision is rendered.

To read all FMCS Arbitration Policies and Procedures, log onto www.FMCS.gov, where all agency rules and regulations are published. If you wish to speak to the Director of Arbitration Services, please call 202-606-5111.

FMCS

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The primary responsibility of the Federal Mediation and Conciliation Service (FMCS) is to promote sound and stable labor relations through mediation and conflict resolution services. We mediate collective bargaining negotiations, provide other forms of alternative dispute resolution services outside of the collective bargaining context, provide training courses to improve the workplace relationship, and refer arbitrators for settlement of contract application disputes. FMCS mediators are widely dispersed throughout the country. For more information about the Service and its programs, please visit our Web site at www.FMCS.gov